

MANDATE

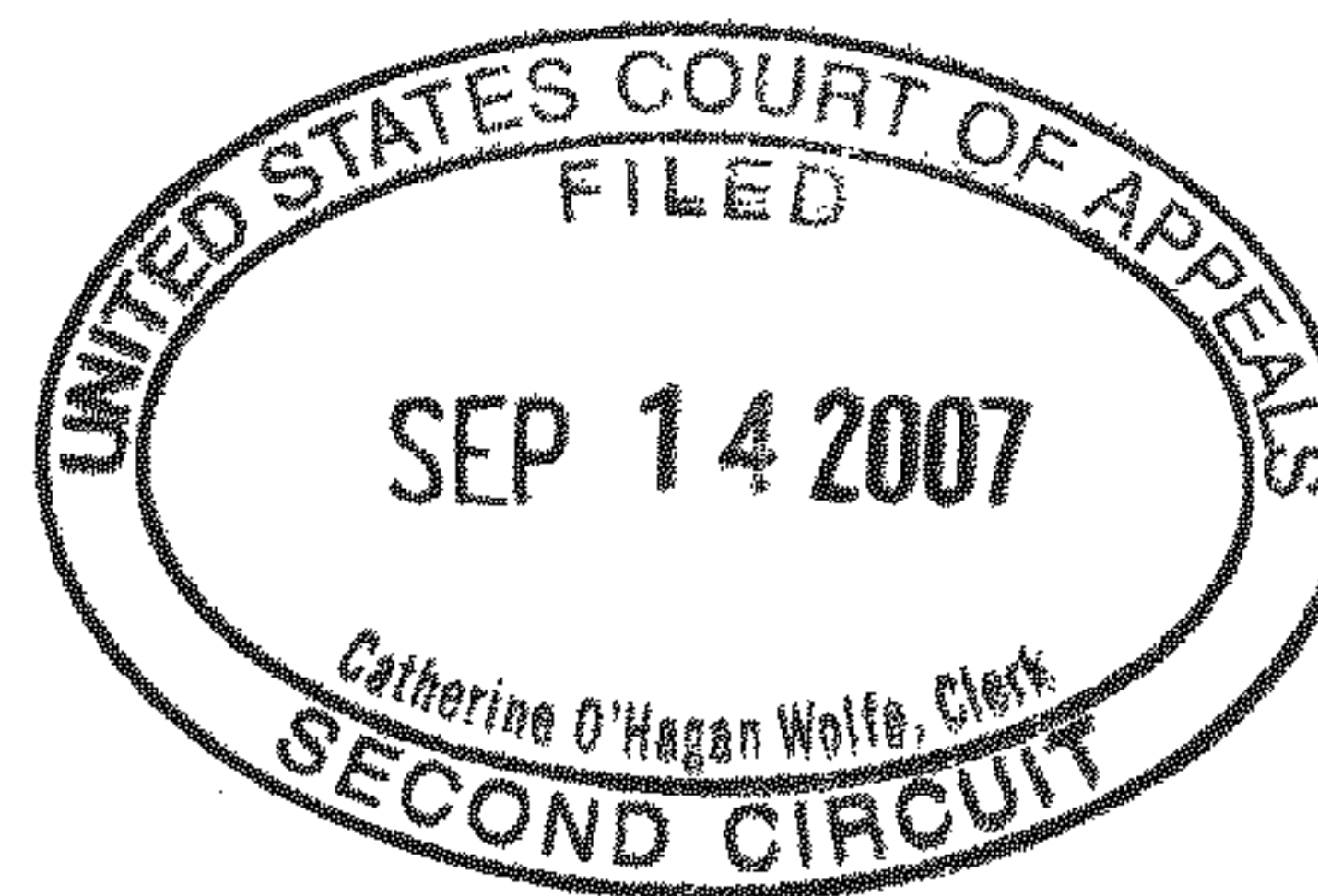
S.D.N.Y.-W.P. (NYC)
07-cv-5507
Wood, J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the *14* day of *September*, two thousand seven,

Present:

Hon. Chester J. Straub,
Hon. Barrington D. Parker,
Circuit Judges,



Vincent R. Terio,

Plaintiff-Appellant,

v.

07-2914-cv

William J. Carlin, *et al.*,

Defendants-Appellees.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By:

Olivia M. George
Olivia M. George, Deputy Clerk

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by

Charles L. Briant, Jr.
DEPUTY CLERK

The Honorable Charles L. Briant, Jr., Senior District Judge of the United States District Court for the Southern District of New York, sitting by designation, and a member of the panel, did not participate in this decision.

Mandate: 10/5/07